



Property and Construction Management Department
Public Facilities Department

Martin J. Walsh, Mayor

August 20, 2014

Public Facilities Commission
Katherine P. Craven, Chair
Lawrence D. Mammoli, Commissioner
Patrick I. Brophy, Commissioner

Location: 26 Court Street, 11th Floor, Conf. Rm. 11A
Boston, MA 02108
Meeting Time: 9:30 a.m.

Dear Commissioners:

I recommend that the following votes attached hereto and referred to as the AGENDA, be approved by the Commission at its August 20, 2014 meeting:

- VOTE 1** **CONTRACT TO BLW ENGINEERS, INC.:** To provide engineering design **\$451,000**
Wayne and construction administration services for the Heating Ventilation and Air
MacKenzie Conditioning Upgrades to the Finland and Woods -Mullen buildings project.
- VOTE 2** **Order of Taking:** Various properties for the Connect Historic Boston project.
William
Egan

RECEIVED
CITY CLERK'S OFFICE
2014 AUG 15 P 4:52
BOSTON, MA

ROOM 811, BOSTON CITY HALL • BOSTON, MA 02201 • 617-635-4100 • FAX: 617-635-3250

PUBLIC FACILITIES DEPARTMENT OFFICE

26 COURT STREET, 10TH FLOOR • BOSTON, MA 02108 • 617-635-0412 • FAX: 617-635-0555

www.boston.gov/propertymanagement

Public Facilities Commission Meeting PFD Agenda August 20, 2014

**PUBLIC FACILITIES DEPARTMENT
AGENDA**

**PUBLIC FACILITIES COMMISSION
August 20, 2014**

VOTE 1: That the Director be, and hereby is, authorized to request from the Mayor, in the name and on behalf of the Commission, written authority to award a contract, pursuant to a publicly advertised request for qualifications under M.G.L. c.7C, sections 44-57 with advertisements appearing in the Boston Globe and City Record on May 19, 2014 and the Central Register on May 21, 2014, to BLW Engineers, Inc. a Massachusetts corporation with an office at 311 Great Road, P.O. Box 1551, Littleton, MA 01460. Under the terms of this contract, BLW Engineers, Inc. will provide engineering design and construction administration services to upgrade the heating ventilation and air conditioning to the Finland and Woods/Mullen buildings project located at 774 Albany Street, Boston. The term of this contract shall be 104 weeks from the date of execution at a cost not to exceed \$451,000.00, including \$125,000 for additional services, which is a fixed fee of 8.4% based on an estimated construction cost of \$3,845,709. The Director is also authorized to execute such contract, in the name and on behalf of the Commission, upon receipt of said written authority from the Mayor.

VOTE 2: ORDER OF TAKING

At a regularly convened meeting of the Public Facilities Commission of the City of Boston, held on August 20, 2014, it was VOTED and ORDERED:

The Public Facilities Commission of the City of Boston, County of Suffolk, Commonwealth of Massachusetts, duly appointed, qualified, and acting as such, on behalf of the City of Boston by virtue of and in accordance with the authority of the provisions of Chapter 642 of the Acts of 1966 and Chapter 79 of the Massachusetts General Laws, and any and every other power and authority which is hereunto in any way enabling, hereby takes, on behalf of the City of Boston, and for the public purposes of establishing a pedestrian/bicycle path through the City of Boston and enhanced pedestrian connections from public transit to historic sites, the following interests in land:

1. Permanent Sidewalk and Crosswalk Easements: Permanent and non-exclusive easements for all purposes for which public sidewalks and crosswalks are used in the City of Boston, including, but not limited to public access on foot, or by wheelchair, including providing a pedestrian path compliant with the Americans with Disabilities Act, to pass and repass, and for construction, grading, re-grading, operation, maintenance, repair and replacement of the sidewalks, together with related utilities, access ramps, traffic signs and poles for traffic signals and street lights, landscaping and plantings (the "Sidewalk Easements"), in, over, under, through, across, upon and along certain properties, as identified below, including the right to construct, install, maintain, repair, replace, relocate and abandon in place the sidewalks, to enter upon and/or authorize others to enter upon, from time to time, the said properties for all the foregoing purposes and at any time, or from time to

time, without any further payment to the property owners, to cut, trim and/or remove trees, brush, overhanging branches, and any other obstructions to the extent the City deems necessary to clear or keep clear the easement areas (the "Sidewalk Easement Premises"), specifically the easements identified as "SW-2" and "SW-4," as set forth on Schedule A and shown on plans entitled "City of Boston Public Works Department Engineering Division Connect Historic Boston Bike Trail Easement Plan," dated August 1, 2014, prepared by Howard/Stein-Hudson Associates, Inc. (Sheets 1 through 15), and recorded with the Suffolk Registry of Deeds in Plan Book 2014____, Plan 266_____.

2. Temporary Construction Easements: Temporary construction easements for the purpose of constructing the Project, as hereinafter defined, and for all uses incidental thereto, including, without limitation, temporary construction easements to facilitate adjacent construction/reconstruction of roads, sidewalks, paths, driveways, entryways, lights and signals, necessary or convenient to the Project, in, over, under, across, upon and along the parcels of land shown as "TE-4," "TE-5," "TE-10," "TE-18," "TE-19," "TE-20," "TE-21," "TE-24," "TE-28," "TE-29," "TE-39," "TE-43," "TE-45," "TE-46," "TE-48," "TE-49," "TE-54," "TE-55," "TE-63," "TE-65," "TE-66" and "TE-401" (collectively, the "Temporary Construction Easement Premises"), as set forth on the attached Schedule A and shown on a plan entitled "City of Boston Public Works Department Engineering Division Connect Historic Boston CHB- Joy Street," dated July 31, 2014, and recorded with the Suffolk Registry of Deeds in Plan Book 2014____, Plan 266_____ (together with the plans referenced at Paragraph 1 hereof, the "Plans"). and shown on plans entitled "City of Boston Public Works Department Engineering Division Connect Historic Boston Easement Plan," dated July 31, 2014, prepared by Nitsch Engineering (Sheet 1 of 1), and recorded with the Suffolk Registry of Deeds in Plan Book____, Plan_____.

Said Temporary Construction Easements shall commence April 1, 2015, and shall terminate automatically three (3) years therefrom, or March 31, 2018, without the necessity of recording any instrument with said Registry of Deeds. Nothing in this paragraph shall affect the Permanent Easement Premises acquired by the City hereunder.

The Permanent Easement Premises and the Temporary Construction Easement Premises are referred to, collectively, as the "Easement Premises." The City shall have the right to pass and re-pass over the Easement Premises, by foot and motor vehicle, including heavy equipment, from time to time and at all times, for all uses incidental thereto.

The Easement Premises are acquired in connection with a project commonly known as "Connect Historic Boston" (the "Project"), which is funded, in part, by a United States Department of Transportation TIGER (Transportation Investment Generating Economic Recovery) Discretionary Grant. Acquisition of the property interests for the Project is governed by Public Law 91-646, The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and specifically 42 U.S.C. §§4601 et seq. and 40 CFR §§24.1 et seq.

The acquisition of the property interests for the Connect Historic Boston project is taking place in phases, and while the Plans recorded and filed herewith depict most of the Taking Parcels, this Order of Taking addresses solely those property interests expressly referenced herein. Subsequent Order(s) of Taking will be recorded with the Registry of Deeds for Suffolk County or

Suffolk Registry District of the Land Court acquiring the remainder of the property interests associated with the Connect Historic Boston project.

Any and all trees and structures located upon the Easement Premises are included in this taking. Notwithstanding the foregoing, there is excepted from this Order of Taking all easements to public utility companies for wires, pipes, conduits, poles, and appurtenances for the conveyance of water, sewage, gas and electricity and for telephone communications and television transmission now lawfully in or upon the Easement Premises and the lawful rights of the public to use those parts of the public streets and ways which may be included in the foregoing description.

Said parcels of land are owned, supposed to be owned, and/or formerly owned by the persons listed in Schedule A, hereinafter collectively referred to as the Owners. If in any instance the name of the Owner is not correctly stated, the name of the supposed Owner(s) is provided in this Order of Taking, and further it is understood that in such instance where the land referred to is owned by an Owner or Owners unknown to the City, said parcels of land are hereby taken.

Damages are awarded to those Owners in connection with those takings as set forth in Schedule ____, attached hereto. The amounts awarded as damages sustained by the Owners of said parcels, in accordance with the provisions of G.L. c.79, §6, as amended, is as set forth on Schedule C, attached hereto and incorporated herein, but which shall not be recorded with the Registry of Deeds.

No betterments are to be assessed under this Order of Taking.

WHEREAS, the Public Facilities Commission, by virtue of the requirements contained in Section 3(f)(ii) of Chapter 642 of the Acts of 1966 has the authority to delegate any of its powers or functions to any other department or officer of the City of Boston and such officer or department is authorized and directed to accept such delegation and exercise the power and perform the function so delegated; and

WHEREAS, the Public Facilities Commission, by virtue of the requirements contained in Section (3)(f)(v) of Chapter 642 of the Acts of 1966 has the power and authority to make and execute all contracts, documents and instruments, and to record orders and instruments necessary or convenient for the exercise and fulfillment of the Commission's powers, duties and responsibilities pursuant to this Act;

NOW, THEREFORE, BE IT VOTED: That the Commissioner of the Public Works Department for the City of Boston be, and hereby is, authorized to execute and deliver all contracts, documents or other instruments, which are approved as to form by the Corporation Counsel for the City of Boston or the First Assistant Corporation Counsel for the City of Boston, in the name and on behalf of the Commission, when such are deemed necessary or appropriate to effectuate the purposes of the aforementioned Order of Taking, and to file any and all of the required documents concerning the same with the Registry of Deeds for Suffolk County or Suffolk Registry District of the Land Court.

SCHEDULE A – Property Owners and Interests Taken

TE4, TE-5

Record Owner: Schepens Eye Research Institute, Inc.

Mailing Address: 20 Staniford Street, Boston, MA 02114

Title Reference: TE-4: Suffolk Registry District of the Land Court, Certificate of Title No. 84293
TE-5: Suffolk Registry of Deeds, Book 7463, Page 522; Suffolk Registry District of the Land Court, Certificate of Title 66316

Interest(s) Taken: TE-4 (Temporary Easement – Meet Existing Driveway) (32 S.F.);
TE-5 (Temporary Easement – Meet Existing Driveway and Back of Sidewalk Reconstruction) (403 S.F.)

TE-10, SW-2

Record Owner: Charles River Park “D” Company

Mailing Address: P.O. Box 87407, Chicago, IL 60680

Title Reference: Suffolk Registry of Deeds, Book 18108, Page 26

Interest(s) Taken: TE-10 (Temporary Easement – Back of Sidewalk Reconstruction) (227 S.F.);
SW-2 (Permanent Easement – Construct Pick-Up Drop-Off Space) (110 S.F.)

TE-18, TE-19, TE-20

Record Owner: Gemini 280 Friend Street MT, LLC

Mailing Address: 200 Park Avenue South, Suite 1305, NY, NY 10003

Title Reference: Suffolk Registry of Deeds, Book 42729, Page 40

Interest(s) Taken: TE-18 (Temporary Easement – Regrade Sidewalk at Building Entrance) (26 S.F.);
TE-19 (Temporary Easement – Regrade Sidewalk at Building Entrance) (28 S.F.);
TE-20 (Temporary Easement – Regrade Sidewalk at Building Entrance) (17 S.F.)

TE-21

Record Owner: Pasquale Family Limited Partnership I

Mailing Address: 23 Clark Street, Boston, MA 02109

Title Reference: Suffolk Registry of Deeds, Book 21718, Page 18

Interest(s) Taken: TE-21 (Temporary Easement – Regrade Sidewalk at Building Entrance) (26 S.F.)

TE-63

Record Owner: Boston Garden Development Corp.

Mailing Address: 100 Legends Way, Boston, MA 02114

Title Reference: Suffolk Registry of Deeds, Book 51706, Page 307

Interest(s) Taken: TE-63 (Temporary Easement – Back of Sidewalk Reconstruction) (3908 S.F.)

TE-24

Record Owner: 120 Nashua Street, LLC

Mailing Address: 100 Legends Way, Boston, MA 02114

Title Reference: Suffolk Registry of Deeds, Book 49634, Page 226

Interest(s) Taken: TE-24 (Temporary Construction – Regrade Intersection and Sidewalk) (1338 S.F.)

SCHEDULE A – Property Owners and Interests Taken

TE-28

Record Owner: The Causeway Primary Condominium c/o The Causeway Primary Condominium Trust
Mailing Address: 234 Causeway Street, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 32618, Page 60
Interest(s) Taken: TE-28 (Temporary Easement – Back of Sidewalk Reconstruction) (42 S.F.)

TE-29, TE-66

Record Owner: PDJM Land Trust, LLC, Trustee of 283 Causeway Street Realty Trust
Mailing Address: 283 Causeway Street, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 15750, Page 344
Interest(s) Taken: TE-29 (Temporary Easement – Back of Sidewalk Reconstruction) (21 S.F.);
TE-66 (Temporary Easement – Back of Sidewalk Reconstruction) (30 S.F.)

TE-39

Record Owner: ZAS, LLC
Mailing Address: 72 Pamela Circle, Malden, MA 02148
Title Reference: Suffolk Registry of Deeds, Book 51412, Page 235
Interest(s) Taken: TE-39 (Temporary Easement – Back of Sidewalk Reconstruction) (14 S.F.)

TE-43, TE-65

Record Owner: Battery Wharf Master Condominium c/o Battery Wharf Master Condominium Association
Mailing Address: Kendra Berardi, Esq., Robinson & Cole, One Boston Place, 25th Floor, Boston, MA 02108
Title Reference: Suffolk Registry of Deeds, Book 43316, Page 99
Interest(s) Taken: TE-43 (Temporary Easement – Facilitate Adjacent Construction) (45 S.F.);
TE-65 (Temporary Easement – Back of Sidewalk Reconstruction) (127 S.F.)

TE-45, TE-46

Record Owner: Battery Street Condominium c/o Battery Street Condominium Trust
Mailing Address: Barrington Management, 376 Massachusetts Avenue, Arlington, MA 02474
Title Reference: Suffolk Registry of Deeds, Book 10511, Page 53
Interest(s) Taken: TE-45 (Temporary Easement – Back of Sidewalk Reconstruction) (45 S.F.);
TE-46 (Temporary Easement – Back of Sidewalk Reconstruction) (15 S.F.)

TE-48, TE-49

Record Owner: Union Wharf Condominium c/o Union Wharf Condominium Trust
Mailing Address: Kendra Berardi, Esq., Robinson & Cole, One Boston Place, 25th Floor, Boston, MA 02108
Title Reference: Suffolk Registry of Deeds, Book 9116, Page 578
Interest(s) Taken: TE-48 (Temporary Easement – Meet Existing Driveway) (161 S.F.);
TE-49 (Back of Sidewalk Reconstruction) (157 S.F.)

TE-54

Record Owner: Lewis Wharf Condominium c/o Lewis Wharf Condominium Trust
Mailing Address: Barrington Management, 376 Massachusetts Avenue, Arlington, MA 02474
Title Reference: Suffolk Registry of Deeds, Book 8672, Page 415
Interest(s) Taken: TE-54 (Temporary Easement – Facilitate Adjacent Construction) (34 S.F.)

SCHEDULE A – Property Owners and Interests Taken

TE-55

Record Owner: J&W One Lewis Wharf, LLC
Mailing Address: One Lewis Wharf, 3rd Floor, Boston, MA 02110
Title Reference: Suffolk Registry of Deeds, Book 52014, Page 30
Interest(s) Taken: TE-55 (Temporary Easement – Meet Existing Driveway) (138 S.F.)

SW-4

Record Owner: Commercial Wharf West Realty c/o Commercial Wharf West Realty Trust
Mailing Address: Law Offices of Frank N. Dardeno, LLP, 424 Broadway, Somerville, MA 02145
Title Reference: Suffolk Registry District of the Land Court, Certificate of Title No. 84803, Docs. #316227, #617216
Interest(s) Taken: SW-4 (Permanent Easement – ADA Compliant Pedestrian Crosswalk) (879 S.F.)

TE-401

Record Owner: Faneuil HIV Housing Corp.
Mailing Address: 60 Joy Street, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Certificate No. 107857
Interest(s) Taken: TE-401 (Temporary Easement – Meet Existing Driveway) (39 S.F.)

SCHEDULE B – Properties with Signed Releases (With Damages)

TE4, TE-5

Record Owner: Schepens Eye Research Institute
Mailing Address: 20 Staniford Street, Boston, MA 02114
Title Reference: TE-4: Suffolk Registry District of the Land Court, Certificate of Title No. 84293
TE-5: Suffolk Registry of Deeds, Book 7463, Page 522; Suffolk Registry District of the Land Court, Certificate of Title 66316
Interest(s) Taken: TE-4 (Temporary Easement – Meet Existing Driveway) (32 S.F.);
TE-5 (Temporary Easement – Meet Existing Driveway and Back of Sidewalk Reconstruction) (403 S.F.)
Damages: \$7,200.00

TE-39

Record Owner: ZAS, LLC
Mailing Address: 72 Pamela Circle, Malden, MA 02148
Title Reference: Suffolk Registry of Deeds, Book 51412, Page 235
Interest(s) Taken: TE-39 (Temporary Easement – Back of Sidewalk Reconstruction) (14 S.F.)
Damages: \$500.00

TE-55

Record Owner: J&W One Lewis Wharf, LLC
Mailing Address: One Lewis Wharf, 3rd Floor, Boston, MA 02110
Title Reference: Suffolk Registry of Deeds, Book 52014, Page 30
Interest(s) Taken: TE-55 (Temporary Easement – Meet Existing Driveway) (138 S.F.)
Damages: \$2,700.00

SCHEDULE C – Properties With No Release or Donation (With Damages)

TE-10, SW-2

Record Owner: Charles River Park "D" Company
Mailing Address: P.O. Box 87407, Chicago, IL 60680
Title Reference: Suffolk Registry of Deeds, Book 18108, Page 26
Interest(s) Taken: TE-10 (Temporary Easement – Back of Sidewalk Reconstruction) (227 S.F.);
SW-2 (Permanent Easement – Construct Pick-Up Drop-Off Space) (110 S.F.)
Damages: \$14,000.00

TE-18, TE-19, TE-20

Record Owner: Gemini 280 Friend Street MT, LLC
Mailing Address: 200 Park Avenue South, Suite 1305, NY, NY 10003
Title Reference: Suffolk Registry of Deeds, Book 42729, Page 40
Interest(s) Taken: TE-18 (Temporary Easement – Regrade Sidewalk at Building Entrance) (26 S.F.);
TE-19 (Temporary Easement – Regrade Sidewalk at Building Entrance) (28 S.F.);
TE-20 (Temporary Easement – Regrade Sidewalk at Building Entrance) (17 S.F.)
Damages: \$1,300.00

TE-21

Record Owner: Pasquale Family Limited Partnership I
Mailing Address: 23 Clark Street, Boston, MA 02109
Title Reference: Suffolk Registry of Deeds, Book 21718, Page 18
Interest(s) Taken: TE-21 (Temporary Easement – Regrade Sidewalk at Building Entrance) (26 S.F.)
Damages: \$500.00

TE-63

Record Owner: Boston Garden Development Corp.
Mailing Address: 100 Legends Way, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 51706, Page 307
Interest(s) Taken: TE-63 (Temporary Easement – Back of Sidewalk Reconstruction) (3908 S.F.)
Damages: \$82,000.00

TE-24

Record Owner: 120 Nashua Street, LLC
Mailing Address: 100 Legends Way, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 49634, Page 226
Interest(s) Taken: TE-24 (Temporary Construction – Regrade Intersection and Sidewalk) (1338 S.F.)
Damages: \$18,000.00

TE-28

Record Owner: The Causeway Primary Condominium c/o The Causeway Primary Condominium Trust
Mailing Address: 234 Causeway Street, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 32618, Page 60
Interest(s) Taken: TE-28 (Temporary Easement – Back of Sidewalk Reconstruction) (42 S.F.)
Damages: \$800.00

SCHEDULE C – Properties With No Release or Donation (With Damages)

TE-29, TE-66

Record Owner: PDJM Land Trust, LLC, Trustee of 283 Causeway Street Realty Trust
Mailing Address: 283 Causeway Street, Boston, MA 02114
Title Reference: Suffolk Registry of Deeds, Book 15750, Page 344
Interest(s) Taken: TE-29 (Temporary Easement – Back of Sidewalk Reconstruction) (21 S.F.);
TE-66 (Temporary Easement – Back of Sidewalk Reconstruction) (30 S.F.)
Damages: \$825.00

TE-43, TE-65

Record Owner: Battery Wharf Master Condominium c/o Battery Wharf Master Condominium Association
Mailing Address: Kendra Berardi, Esq., Robinson & Cole, One Boston Place, 25th Floor, Boston, MA 02108
Title Reference: Suffolk Registry of Deeds, Book 43316, Page 99
Interest(s) Taken: TE-43 (Temporary Easement – Facilitate Adjacent Construction) (45 S.F.);
TE-65 (Temporary Easement – Back of Sidewalk Reconstruction) (127 S.F.)
Damages: \$3,400.00

TE-45, TE-46

Record Owner: Battery Street Condominium c/o Battery Street Condominium Trust
Mailing Address: Barrington Management, 376 Massachusetts Avenue, Arlington, MA 02474
Title Reference: Suffolk Registry of Deeds, Book 10511, Page 53
Interest(s) Taken: TE-45 (Temporary Easement – Back of Sidewalk Reconstruction) (45 S.F.);
TE-46 (Temporary Easement – Back of Sidewalk Reconstruction) (15 S.F.)
Damages: \$1,000.00

TE-48, TE-49

Record Owner: Union Wharf Condominium c/o Union Wharf Condominium Trust
Mailing Address: Kendra Berardi, Esq., Robinson & Cole, One Boston Place, 25th Floor, Boston, MA 02108
Title Reference: Suffolk Registry of Deeds, Book 9116, Page 578
Interest(s) Taken: TE-48 (Temporary Easement – Meet Existing Driveway) (161 S.F.);
TE-49 (Back of Sidewalk Reconstruction) (157 S.F.)
Damages: \$6,200.00

TE-54

Record Owner: Lewis Wharf Condominium c/o Lewis Wharf Condominium Trust
Mailing Address: Barrington Management, 376 Massachusetts Avenue, Arlington, MA 02474
Title Reference: Suffolk Registry of Deeds, Book 8672, Page 415
Interest(s) Taken: TE-54 (Temporary Easement – Facilitate Adjacent Construction) (34 S.F.)
Damages: \$700.00

SW-4

Record Owner: Commercial Wharf West Realty c/o Commercial Wharf West Realty Trust
Mailing Address: Law Offices of Frank N. Dardeno, LLP, 424 Broadway, Somerville, MA 02145
Title Reference: Suffolk Registry District of the Land Court, Certificate of Title No. 84803, Docs. #316227,
#617216
Interest(s) Taken: SW-4 (Permanent Easement – ADA Compliant Pedestrian Crosswalk) (879 S.F.)
Damages: \$70,000.00

SCHEDULE C – Properties With No Release or Donation (With Damages)

TE-401

Record Owner: Faneuil HIV Housing Corp.

Mailing Address: 60 Joy Street, Boston, MA 02114

Title Reference: Suffolk Registry of Deeds, Certificate No. 107857

Interest(s) Taken: TE-401 (Temporary Easement – Meet Existing Driveway) (39 S.F.)

Damages: \$600.00